

Senate Study Bill 3142

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CO=CHAIRPERSON McCOY)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to requirements for the use of funeral escort
2 vehicles.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5268SK 81
5 dea/sh/8

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1 1 Section 1. Section 321.324A, Code 2005, is amended to read
1 2 as follows:
1 3 321.324A FUNERAL PROCESSIONS.
1 4 1. For purposes of this section, ~~"funeral procession" the~~
1 5 ~~following definitions apply:~~
1 6 a. ~~"Escort vehicle" means a vehicle displaying a flashing~~
1 7 ~~or revolving amber and red light visible to pedestrians and~~
1 8 ~~motorists in all directions while accompanying a funeral~~
1 9 ~~procession. An escort vehicle other than a vehicle operated~~
1 10 ~~by an employee or agent of a funeral home or mortuary shall be~~
1 11 ~~equipped with a roof-mounted light bar. The required lighting~~
1 12 ~~for all escort vehicles shall be installed and operated in~~
1 13 ~~accordance with rules adopted by the department.~~
1 14 b. ~~"Funeral procession" means a procession of motor~~
1 15 ~~vehicles displaying lighted headlamps and flashing four-way~~
1 16 ~~directional signals while accompanying the body of a deceased~~
1 17 ~~person during daylight hours which is being escorted by a and~~
1 18 ~~accompanied by an escort vehicle continually displaying its~~
1 19 ~~emergency signal lamps flashing simultaneously and using~~
1 20 ~~lighted head lamps and identifying flags, and keeping all~~
1 21 ~~other motor vehicles with lighted head lamps keeping the~~
1 22 ~~procession of motor vehicles in close formation.~~
1 23 c. ~~"Light bar" means a device that can be securely~~
1 24 ~~attached, either temporarily or permanently, to the roof of a~~
1 25 ~~motor vehicle and which contains incandescent or halogen~~
1 26 ~~flashing or rotating lights, electronic strobes or light~~
1 27 ~~emitting diodes (LEDs), or other lighting capable of providing~~
1 28 ~~three hundred sixty degrees of warning to other motorists and~~
1 29 ~~pedestrians.~~
1 30 2. ~~The operator of an escort vehicle is responsible for~~
1 31 ~~expediting the safe and orderly movement of the funeral~~
1 32 ~~procession to its destination. In addition to a flashing or~~
1 33 ~~revolving amber and red light, the escort vehicle operator may~~
1 34 ~~use auxiliary warning signals including, but not limited to,~~
1 35 ~~corner-mounted strobes, a dash-mounted flashing light,~~
2 1 ~~electronic strobes or LEDs, alternating headlamps, and a siren~~
2 2 ~~or other audible signal approved by the department, to alert~~
2 3 ~~motorists and pedestrians of the approach of a funeral~~
2 4 ~~procession. Nothing in this section shall be construed to~~
2 5 ~~relieve the operator of an escort vehicle of the duty to drive~~
2 6 ~~with due regard for the safety of all persons using the~~
2 7 ~~highway.~~
2 8 ~~2- 3.~~ Upon the immediate approach of a funeral
2 9 procession, the driver of every other vehicle, except an
2 10 authorized emergency vehicle, shall yield the right-of-way.
2 11 An operator of a motor vehicle which is part of a funeral
2 12 procession shall not be charged with violating traffic rules
2 13 and regulations relating to traffic signals and devices while
2 14 participating in the procession unless the operation is
2 15 reckless.
2 16 ~~3- 4.~~ The funeral home or mortuary in charge of the
2 17 funeral procession is liable only in connection with the

2 18 procession for any negligent, reckless, or intentional act by
2 19 the funeral home or mortuary or any employee or agent of the
2 20 funeral home or mortuary that results in any death, personal
2 21 injury, or property damage suffered during a funeral
2 22 procession.

2 23 5. The department shall adopt rules relating to equipment
2 24 required for escort vehicles under this section. The rules
2 25 shall provide for temporary lighting equipment which may be
2 26 used on vehicles owned or operated by a funeral home or
2 27 mortuary. The rules shall also provide for light bars which
2 28 meet the requirements of both this section and section
2 29 321E.34, so that an escort vehicle so equipped may be utilized
2 30 to escort funeral processions, vehicles of excessive size and
2 31 weight, parades, and other vehicle processions.

2 32 Sec. 2. Section 321.423, subsection 2, Code Supplement
2 33 2005, is amended by adding the following new paragraph:
2 34 NEW PARAGRAPH. j. On a vehicle being operated as an
2 35 escort vehicle for a funeral procession as provided in section
3 1 321.324A.

3 2 Sec. 3. Section 321.433, Code 2005, is amended to read as
3 3 follows:

3 4 321.433 SIRENS, WHISTLES, AND BELLS PROHIBITED.

3 5 A vehicle shall not be equipped with and a person shall not
3 6 use upon a vehicle any siren, whistle, or bell, except as
3 7 otherwise permitted in this section. It is permissible but
3 8 not required that any commercial vehicle be equipped with a
3 9 theft alarm signal device which is so arranged that it cannot
3 10 be used by the driver as an ordinary warning signal. Any
3 11 authorized emergency vehicle may be equipped with a siren,
3 12 whistle, or bell capable of emitting sound audible under
3 13 normal conditions from a distance of not less than five
3 14 hundred feet, but the siren, whistle, or bell shall not be
3 15 used except when the vehicle is operated in response to an
3 16 emergency call or in the immediate pursuit of an actual or
3 17 suspected violator of the law, and the driver of the vehicle
3 18 shall sound the siren, whistle, or bell when necessary to warn
3 19 pedestrians and other drivers of the approach of the vehicle.
3 20 An escort vehicle may use an audible signal when accompanying
3 21 a funeral procession as provided in section 321.324A.

3 22 EXPLANATION

3 23 This bill specifies the types of equipment to be used by
3 24 the operators of vehicles used to escort funeral processions
3 25 on the highway. A vehicle escorting a funeral procession must
3 26 display a flashing or revolving amber and red light visible to
3 27 pedestrians and motorists in all directions. The escort
3 28 vehicle must be equipped with a temporary or permanent roof=
3 29 mounted light bar, as defined in the bill, unless the vehicle
3 30 is operated by an employee or agent of the funeral home or
3 31 mortuary. Auxiliary warning signals may be used by an escort
3 32 vehicle operator to alert pedestrians and motorists of the
3 33 approach of a funeral procession. Those signals may include
3 34 lighting such as corner-mounted strobes, a dash-mounted
3 35 flashing light, electronic strobes or LEDs, or alternating
4 1 headlamps, or a siren or other audible signal approved by the
4 2 state department of transportation. The department is
4 3 required to adopt rules relating to equipment to be used on
4 4 funeral escort vehicles. The requirements for light bars are
4 5 to be fashioned so that vehicles equipped to escort funeral
4 6 processions can also be used as parade escorts or to escort
4 7 vehicles of excessive size and weight under Code chapter 321E.

4 8 LSB 5268SK 81

4 9 dea:nh/sh/8